

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 05-26 Erie
)
GEORGE L. EBERLE)

**MOTION TO EXTEND THE TIME FOR THE
FILING OF PRETRIAL MOTIONS**

AND NOW, comes the defendant, GEORGE L. EBERLE, by his attorney, Thomas W. Patton, Assistant Federal Public Defender, and respectfully moves this Honorable Court for an Extension of Time to File Pretrial Motions, and in support thereof sets forth as follows:

1. The defendant, George L. Eberle, has been charged in a four-count indictment with violations of Title 18, U.S.C. §§ 371, 2252(a)(1)& 2, 2252(a)(2) & 2 and 2252(a)(4)(B) & 2; conspiracy, sexual exploitation of a minor and receipt of and possession of material depicting the sexual exploitation of a minor.

2. Pursuant to an Order of Court dated September 12, 2005, certain types of pretrial motions are due on November 14, 2005.

3. Additional time is needed to complete counsel's investigation of the facts and law before informed decisions can be made concerning the filing of pretrial motions. Specifically, defendant's expert has not yet had an opportunity to examine the hard drive from defendant's computer and prepare a report.

4. Counsel is unable to adequately prepare pretrial motions until this examination has occurred.

5. Accordingly, counsel requests an additional ninety (90) within which to file pretrial motions.

WHEREFORE, defendant, George L. Eberle, respectfully requests an extension of ninety (90) days to file pretrial motions.

Respectfully submitted,

/s/ Thomas W. Patton

Thomas W. Patton

Assistant Federal Public Defender

PA ID #88653